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PART II—Section 3—Sub-section (ii)

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या वी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF COMMERCE

NOTIFICATIONS

New Delhi, the 1st June 1966

S.O. 1680.—Whereas the Central Government is of opinion that in exercise of the powers conferred by section 6 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the inorganic pigments mentioned in Annexure I to this notification should be subject to inspection prior to export;

And whereas the Central Government has formulated the proposals specified below for the said purpose and has forwarded the same to the Export Inspection Council, as required by sub-rule (2) of rule 11 of the Export (Quality Control and Inspection) Rules, 1964;

Now, therefore, in pursuance of the said sub-rule, the Central Government publishes the said proposals for the information of the public likely to be affected thereby.

Notice is hereby given that any person desirous to forward any objection or suggestion with respect to the said proposals may forward the same within thirty days of the date of publication of this notification to the Export Inspection Council, World Trade Centre, 14/IB, Ezra Street, 7th Floor, Calcutta-1.

Proposals

- To notify that the said inorganic pigments shall be subject to inspection prior to export;

2. To specify the type of inspection in accordance with the draft Export of Inorganic Pigments (Inspection) Rules, 1966, set out in Annexure III to this notification, as the type of inspection which would be applied to such inorganic pigments;

3. To recognise the Indian Standards specified against each type of pigments issued by the Indian Standards Institution, set out in Annexure II to this notification, as the Standard Specifications for the said pigments;

4. To prohibit the export, in the course of international trade, of any of the aforesaid inorganic pigments unless the same is either accompanied by a certificate issued by an agency recognised by the Central Government under section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), to the effect that the inorganic pigments are export worthy, or they have affixed or applied to the container thereof, a mark or seal recognised by the Central Government under Section 8 of the said Act;

5. Nothing in this notification shall apply to the export by land, sea or air of samples of any such pigments not exceeding 500 gms. in weight to prospective buyers.

ANNEXURE I

1. Zinc Oxide
2. Red Lead
3. White Lead

ANNEXURE II

- | | |
|---------------|-------------|
| 1. Zinc Oxide | —IS:35—1950 |
| 2. Red Lead | —IS:57—1950 |
| 3. Whlte Lead | —IS:34—1950 |

ANNEXURE III

Draft rules proposed to be made under section 17 of the Export (Quality Control and Inspection) Act, 1963.

1. Short title and commencement.—(1) These rules may be called the Export of Inorganic Pigments (Inspection) Rules, 1966.

(2) They shall come into force on 1st July, 1966.

2. Definition.—In these rules "inorganic pigment" means any of the pigments specified in the Schedule annexed hereto.

3. Basis of inspection for certification.—Inspection of inorganic pigment for purposes of issuing the certificate of export worthiness for export, shall be carried out with a view to seeing that the inorganic pigment conforms to the specifications stipulated in the export contract as declared by the exporter.

4. Procedure of inspection.—(a) An exporter intending to export any inorganic pigment, not bearing the mark recognised under section 8 of the Export (Quality Control and Inspection) Act, 1963, shall give intimation in writing of his intention so to do and submit along with such intimation a declaration of the specifications, stipulated in the contract relating to such export, to any one of the inspection agencies (hereinafter referred to as the Agency) recognised under section 7 of the Export (Quality Control and Inspection) Act, 1963, (22 of 1963), to enable it to carry out the inspection in accordance with rule 3.

(b) In case the specification stipulated in the export contract is in the form of a sample approved by the buyer, the exporter shall submit a declaration accordingly along with the approved sample to the Agency.

(2) Every intimation and declaration of approved sample under sub-rule (1) shall be submitted not less than seven days before the expected date of commencement of loading.

(3) On receipt of the intimation and declaration or the approved sample under sub-rule (2), the Agency shall inspect the consignment of inorganic pigment with a view to seeing that the same conforms to the specifications stipulated in the export contract.

(4) If, after inspection, the Agency is satisfied that the said consignment of inorganic pigment conforms to the specifications stipulated in the export contract, it shall, within seven days of the receipt of intimation and declaration under sub-rule (2), issue a certificate to the exporter declaring the consignment export-worthy.

5. Procedure regarding affixation of recognised mark.—The provisions of the Indian Standard Institution (Certification Marks) Act, 1952 (35 of 1952), the Indian Standards Institution (Certification Marks) Rules, 1955, and the Indian Standards Institution (Certification Marks) Regulations, 1955 shall so far as may be, apply to the procedure relating to the affixation of recognised mark on inorganic pigment prior to export denoting conformity to the standard specifications.

6. Place of inspection.—Every inspection under these rules shall be carried out either—

- (a) at the premises of the manufacturer, of such products or,
- (b) at the premises at which the goods are offered by the exporter, provided adequate facilities for the purpose exist therein.

7. Inspection Fee.—Subject to a minimum of Rs. 50/- for each consignment, a fee at the rate of twenty paise for every one hundred rupees of invoice value of each such consignment of inorganic pigment, shall be paid as inspection fee for inspection and issue of certificate of export worthiness under these rules.

8. Appeal.—(1) Any person aggrieved by the refusal of the Agency to issue a certificate under sub-rule (4) of rule 4 may, within ten days of receipt of communication of such refusal by him, prefer an appeal to a panel of experts, consisting of not less than three persons, appointed for the purpose by the Central Government.

(2) The decision of the panel on such appeal shall be final.

THE SCHEDULE

(See rule 2)

1. Zinc Oxide
2. Red Lead
3. White Lead

[No. 60(130)Exp.Insp/65.]

S.O. 1681.—Whereas the Central Government, in exercise of the powers conferred by section 8 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), proposes to recognise the Indian Standards Institution Certification Mark with respect to inorganic pigment for the purpose of denoting that where the container of any inorganic pigment is affixed with such mark, it shall be deemed to be in conformity with the relevant Indian standard specification applicable thereto under clause (c) of section 8 of the said Act;

And whereas the Central Government has forwarded the aforesaid proposal to the Export Inspection Council, as required by sub-rule (2) of rule 11 of the Export (Quality Control and Inspection) Rules, 1964;

Now, therefore, in pursuance of the said sub-rule, the Central Government hereby publishes the said proposal for the information of the public likely to be affected thereby.

2. Notice is hereby given that any person desiring to forward any objection or suggestion with respect to the said proposal may forward the same within thirty days of the date of publication of this notification to the Export Inspection Council, World Trade Centre, 14/IB, Ezra Street, 7th Floor, Calcutta-1.

3. **Explanation.**—“Inorganic pigment” for the purpose of this notification shall mean (a) zinc oxide, (b) white lead and (c) red lead.

[No. 60(130)Exp.Insp/65.]

S.O. 1682.—In exercise of the powers conferred by section 7 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government hereby recognises the organisations mentioned in Schedule I annexed hereto as the agencies for inspection of any of the inorganic pigments specified in Schedule

If annexed hereto prior to their export, subject to the condition that every such organisation shall give adequate facilities to an officer of the Export Inspection Council, duly authorised by that Council, to examine the methods of inspection followed by that organisation in granting the certificate under sub-rule (4) of rule 4 of the Export of Inorganic Pigments (Inspection) Rules, 1966.

SCHEDULE I

1. M/s. R. V. Briggs & Co. (Private) Ltd., 9, Bentinck Street, Calcutta-1.
2. M/s Mitra S. K. Private Ltd., 6, Mission Row, Calcutta-1.
3. Superintendence Co. of India (Private) Ltd., 31, 32, 33 C.I.T. Road, Entally, Calcutta-14.
4. General Superintendence Co. (India) Private Ltd., 'Sorab Mansion' 35, Murzban Road, P.O. Box 508, Bombay-1.
5. Italab Private Ltd., 'Meher House,' 15, Cawasji Patel Street, Bombay-1.
6. Inspection & Testing Co. (India) Private Limited, 24, Chittaranjan Avenue, Calcutta-12.
7. Chem-Med Analytical Laboratories, 27, Western India House, Sir P. M. Road, Fort, Bombay-1.
8. Cargo Inspectors & Superintendence Company Private Ltd., Alice Building, 339, Dr. Dadabhai Naoroji Road, Bombay-1.
9. Therapeutics Chemical Research Corporation, 92, Morland Road, Byculla, Bombay-8.
10. Essen & Company, 550, Eighth Main Road, (Opp. St. Peter's Seminary), Bangalore-12.
11. Geo-Chem Laboratories (P) Ltd., 294, Frere Road, Fort, Bombay-1.

SCHEDULE II

1. Zinc Oxide
2. Red lead
3. White lead.

[No. 60(130)Exp.Insp/65.]

A. C. BANERJEE, Jt. Secy.

ERRATUM

In the Gazette of India, Extraordinary, Part II, Section 3, Sub-Section (ii), Issue No. 131, dated New Delhi the 3rd May, 1966, in Notification under Ministry of Commerce No. S.O. 1397, dated 3rd May 1966, under "Proposals" on page 829 in item (2) of para 2 for the first word in the second line, read "Expanded" instead of "Exported".

ERRATUM

In the Gazette of India, Extraordinary, Part 2, Section 3, Sub-Section (ii), Issue No. 122, dated 25th April 1966, the date of Notification bearing S.O. Nos. 1270 to 1272 may be read as "25th April 1966" instead of "25th March 1966".